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DEC 12 2016

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF IOWAIN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF IOWA CENTRAL DIVISION

Christopher (Bruce) T.L.M.
 Vincenzo Gutierrez
 Plaintiff
 v.

C.O. Roberts (PCJ)
 C.O. Field (PCJ)
 Sergeant Barry (PCJ)
 Defendants

Case #

COMPLAINT

Complaint against employees
 of the Polk County Jail &
 Affidavit

On the date of December 5th, 2016, the plaintiff, Christopher (bruce) the living man was allowed an hour in the "law library" of the Polk County Jail at 1985 NE 51st St. Pl. in Des Moines, Iowa, 50313-2517, after waiting for nearly 2 weeks to do so.

Considering the amount of time an inmate is given, and how long an inmate waits to use this "law library" on the average, the plaintiff decided to use his limited time to produce "fill in the blank"-style legal documents for his two (now 3) federal cases, 5 state cases (1 post-conviction relief and 4 defamation cases) and for his case concerning a co-council case (given by power of attorney for claims and litigation for another inmate), and printed 1-2 extra pages of lightly lined paper for extenions of each motion (which of course would need to be hand-written). Not nearly enough time is given to any inmate to produce typed legal documents and do any real research. Time provided pro-se inmates averages around an hour a week).

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The inmate given Power of Attorney was the Plaintiff, Christopher (Bruce) the living man; the person granting the agent power of attorney was the other plaintiff, Chadantonio Gutierrez. The plaintiff, Bruce, printed 3 copies of three documents, each 2 to 3 pages in all, for a total of 21 pages (one federal case's defendants take up an entire page, so one had an extra page of lines for a 3 page document). These prints occur at an outer desk manned by any number (and variation) of C.O.'s and URT employees of the jail. It's important to note that no "rules" concerning the use (or misuse) of the law library or its computer are printed out or posted anywhere in the "library" itself or in any portion of the rulebook (The "Inmate Handbook")

Sat at the outer desk were a C.O. Roberts (defendant), and a URT response team employee, Field (defendant). Upon completing his time and printing out a filled-in header motion for a federal case (1 header page, 2-lined pages, 3 copies); another header for another federal case (1 header, 1 lined page) and a header for plaintiff Chadantonio Gutierrez's Habeas Corpus (State level, 1 header page, 1 lined, 3 copies), the plaintiff, Bruce, exited the "law library" to find both C.O. Roberts and URT Field going through the prints. After inquiring of plaintiff Bruce why he created documents for Plaintiff Gutierrez, he explained that he had legal Power of Attorney to assist Plaintiff Gutierrez (filed in the record of the court at the Polk County Courthouse in ALL of Chadantonio Gutierrez's criminal cases), and to produce documents for him.

The defendants Roberts and Field then told plaintiff Bruce to return to his pod while they inquired of Sergeant Barry (Defendant) which of the documents printed Plaintiff Bruce would be allowed to keep or receive. After returning to the pod, Plaintiff Bruce was given 3 header pages for the 2 federal case motions (6 printed pages) and no copies of the Habeas Corpus document printed for Gladantonio Gutierrez, Plaintiff, for a total of 6 out of 21 prints. A grievance was immediately filed the same date, and it was answered by Sergeant Barry, defendant, the same day. (Grievance, attachment "A", is enclosed in this complaint.)

The plaintiffs, Bruce and Gutierrez, do complain herein that C.O H. Roberts, URT Field and Sergeant Barry, the defendants in this matter and employees of the Polk County Jail have maliciously deprived the plaintiffs, Bruce and Gutierrez, of lawful due process. The grievance process was utilized and completed (steps two and three are not true steps, and are currently challenged in Federal Complaint Case # 4:16-cv-00591-RGE-HCA) and grievance was denied.

The plaintiffs, Bruce and Gutierrez do request the remedy of restitution for deprivation of due process for both Bruce and Gutierrez, and unnecessary pain and suffering in the form of unlawful detainment for plaintiff Gutierrez, due to the same deprivations, from all three defendants.

We, the plaintiffs, Christopher (Bruce) The Living Man and
Caldan Antonio Gutierrez do swear these facts herein in this
complaint to be true to the best of our knowledge, so help we,
God.

And so be it.

Caldan Antonio Gutierrez, Plaintiff
ID # 81751 N411

1985 N.E. 51st St. Pl., Man
Des Moines, IA 50313-2517

Attn T.A. W.

Christopher (Bruce) The Living Man
(Plaintiff) without Prejudice
Sui Juris, All Rights Reserved

UCC1-305, formerly UCC1-207
ID # 78690; N411

1985 NE 51st St. Pl.
Des Moines, IA 50313-2517



12/8/16



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To the clerk of Federal Court.

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Dec 9th, 2016

CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

Enclosed is a new complaint, with co-plaintiffs. We require mail concerning this matter to be sent to us individually. Mr. Gutierrez will, of course, need to file ~~enclosed~~ an application for financial assistance with the filing fee; mine is on file with my other two cases.

Thank You.

CB

Christopher (Bruce) The Living Man

Antonio Gutierrez

Antonio Gutierrez



Christopher B. Fuss
10 #78690; N72
1985 NE 51st St. #1.
D.WI., IA 50313-2517

Clerk, United States District Court
P.O. Box 9344
Des Moines, IA 50309-9344